

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

IN RE:)	CHAPTER 11
)	
COMMERCIAL MORTGAGE AND)	Case No. 08-73242
FINANCE, CO.)	
)	
)	Judge Thomas M. Lynch
Reorganized Debtor.)	

NOTICE OF HEARING ON MOTION FOR FINAL DECREE

TO: See attached service list.

Commercial Mortgage and Finance, Co., Reorganized Debtor has filed with this Court its Motion for Final Decree.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the Motion, you or your attorney must:

1. File a written response to the Motion on or before the date set for the hearing on the motion at:

Clerk of Court
United States Bankruptcy Court
Stanley J. Roszkowski – U.S. Courthouse
327 South Church Street
Rockford, IL 61101

OR

2. Attend the hearing scheduled to be held on **Monday, December 30, 2013 at 10:30 a.m.** at the United States Bankruptcy Court, Stanley J. Roszkowski U.S. Courthouse, 327 South Church Street, Rockford, Illinois 61101.

If you mail your Response to the Court for filing, you must mail it early enough so that the Court will receive it on or before the date stated above.

You must also mail a copy of your Response to:

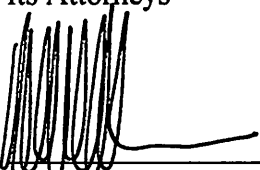
Attorney Bradley T. Koch
Attorney Jocelyn L. Koch
Holmstrom & Kennedy, P.C.
P.O. Box 589
Rockford, IL 61105-0589

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an Order granting that relief.

Dated: December 18, 2013

Commercial Mortgage and Finance, Co., Reorganized Debtor,

By: Holmstrom & Kennedy, P.C.,
Its Attorneys

By: 
One of its attorneys

ATTORNEY BRADLEY T. KOCH - #3122997
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(815) 962-7071
(815) 962-7181

PROOF OF SERVICE

The undersigned, being first duly sworn, states that a copy of the foregoing *Notice of Hearing and Motion for Final Decree* was served upon the parties and attorneys of record herein, by either the Court's ECF Notification System or by depositing said envelope, with postage fully prepaid by first class mail, in the United States Post Office mailbox in Rockford, Illinois on the 18th day of December, 2013:

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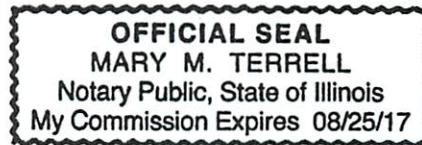
Paul S. Godlewski
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(Via ECF)

Attorney Zane Cohn
Zahm M. Cohn & Associates
150 N. Michigan Ave
Suite 3300
Chicago, IL 60601
(Via ECF)

Katie Morris

Subscribed and sworn to before me
this 18th day of June, 2013.

Mary M. Terrell
Notary Public



ATTORNEY BRADLEY T. KOCH - #3122997
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Holmstrom & Kennedy, P.C.
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**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
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IN RE:)	CHAPTER 11
)	
COMMERCIAL MORTGAGE AND FINANCE, CO.)	Case No. 08-73242
)	
)	
Reorganized Debtor.)	Judge Thomas M. Lynch

MOTION FOR FINAL DECREE

Commercial Mortgage and Finance, Co., Reorganized Debtor (the “Reorganized Debtor”), by its attorneys, Holmstrom & Kennedy, P.C., for its Motion for Final Decree pursuant to Section 350 (a) of the Bankruptcy Code, states:

1. On October 8, 2008 (the “Petition Date”), Commercial Mortgage and Finance Co., Debtor filed a Voluntary Petition for Relief pursuant to Chapter 11 of the Bankruptcy Code with this Court.
2. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. Sections 157 and 1334. Venue is proper pursuant to 28 U.S.C. Sections 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. Section 157(b)(2)(A).
3. The statutory basis for the relief requested within this Motion is Section 350(a) of the Bankruptcy Code and Bankruptcy Rule 3022.
4. On or about August 17, 2009, the Debtor and the Official Committee of Unsecured Creditors (“Creditors Committee”) filed a Second Amended Plan of Liquidation dated August 17, 2009 (“Plan”) with this Court.
5. On August 19, 2009 this Court entered its Findings of Fact, Conclusions of Law and Order confirming the Plan (“Confirmation Order”).

6. The Confirmation Order is a Final Order pursuant to the Plan and Bankruptcy Rule 3020.

7. On December 17, 2013, the Reorganized Debtor filed a Notice with this Court in which the Reorganized Debtor represented and stated as follows:

- (a) All objections to Claims have been resolved;
- (b) A final payment has been made to Class 3 and Class 4 Claimants pursuant to the Plan;
- (c) No Assets or Causes of Action were transferred to the Liquidating Trust pursuant to the Plan and that the Liquidating Trust did not prosecute any Causes of Action;
- (d) All Causes of Action filed by the Reorganized Debtor have been resolved;
- (e) The final payment to all Persons holding Class 4 Allowed General Unsecured Claims has been made.

A photocopy of which Notice is attached hereto and hereby incorporated by reference as Exhibit A.

8. The date on which the Allowance or disallowance of all Class 4 Claims has been determined.

9. All adversary proceedings related to the Bankruptcy Case filed by either the Liquidating Trust or the Reorganized Debtor have been resolved and terminated. The Liquidating Trust and the Reorganized Debtor will no longer file or prosecute any further adversary proceedings in this Bankruptcy Case.

10. The Reorganized Debtor has made all of the required distributions to Creditors under the Plan.

11. All of the requirements set forth within Article XV of the Plan for the entry of a Final Decree have been satisfied.

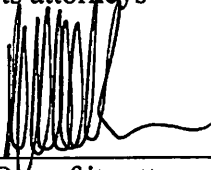
12. The Plan is fully consummated and the administration by the Reorganized Debtor of its Chapter 11 bankruptcy estate is complete.

WHEREFORE, Commercial Mortgage & Finance, Co., Reorganized Debtor, respectfully requests the entry of a Final Decree closing this bankruptcy and for such other and further relief as this Court deems just and equitable.

Dated: December 18, 2013

Commercial Mortgage and Finance, Co.,
Reorganized Debtor,

By: Holmstrom & Kennedy, P.C.,
Its attorneys

By: 

One of its attorneys

ATTORNEY BRADLEY T. KOCH - #3122997
ATTORNEY JOCELYN L. KOCH - #6298482
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